

REMARKS

The Examiner required restriction of one of the following inventions:

Group I, claim 1, drawn to a Gemini surfactant, classified in class 510, subclass 466.

Group II, claim 2, drawn to a method of preparing a Gemini surfactant, classified in class 510, subclass 504.

Group III, claims 3-11, drawn to a method for preparing a mesoporous material, classified in class 510, subclass 507.

In response to the Examiner's restriction/election requirement, Applicants elect, with traverse, to prosecute Group III including claims 3-11. Applicants specifically reserve the right to file divisional applications directed to non elected claims 1 and 2.

According to MPEP §803, if the search and examination of an entire application can be made without a serious burden, the Examiner *must* examine it on the merits, even though it includes claims to independent or distinct inventions. As evidence of the undue burden, the Examiner has listed that class 510/subclass 466 is to be searched for Group I, class 510/subclass 504 is to be searched for Group II; and class 510/subclass 507 is to be searched for Group III. In view of: i) the likelihood that a significant portion of the patents belonging in class 510/subclass 466 would also be classified in class 510/subclass 504 and class 510/subclass 507; and ii) the fact that the computer searching software used by the Examiner enables the Examiner to combine the search for patents in multiple subclasses without having to view duplicates, the search of the extra subclass(es) would not amount to an undue burden on the Examiner to consider claims 1 and 2. As such, Applicants respectfully request that the Examiner rejoins Groups I and II with Group III.

For all of the above stated reasons, reconsideration and withdrawal of the outstanding restriction/election requirement and favorable allowance of all claims in the instant application are earnestly solicited.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicants hereby petition for a three (3) month extension of time for filing a reply to the outstanding Office Action and submit the required \$1,020.00 extension fee herewith.

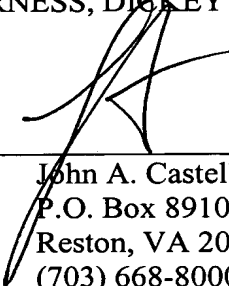
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John A. Castellano at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY & PIERCE, PLC

By



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